

26-18-402 Medicaid Restricted Account.

- (1) There is created a restricted account in the General Fund known as the Medicaid Restricted Account.
- (2)
 - (a) Except as provided in Subsection (3), the following shall be deposited into the Medicaid Restricted Account:
 - (i) any general funds appropriated to the department for the state plan for medical assistance or for the Division of Health Care Financing that are not expended by the department in the fiscal year for which the general funds were appropriated and which are not otherwise designated as nonlapsing shall lapse into the Medicaid Restricted Account;
 - (ii) any unused state funds that are associated with the Medicaid program, as defined in Section 26-18-2, from the Department of Workforce Services and the Department of Human Services; and
 - (iii) any penalties imposed and collected under:
 - (A) Section 17B-2a-818.5;
 - (B) Section 19-1-206;
 - (C) Section 63A-5-205;
 - (D) Section 63C-9-403;
 - (E) Section 72-6-107.5; or
 - (F) Section 79-2-404.
 - (b) The account shall earn interest and all interest earned shall be deposited into the account.
 - (c) The Legislature may appropriate money in the restricted account to fund programs that expand medical assistance coverage and private health insurance plans to low income persons who have not traditionally been served by Medicaid, including the Utah Children's Health Insurance Program created in Chapter 40, Utah Children's Health Insurance Act.
- (3) For fiscal years 2008-09, 2009-10, 2010-11, 2011-12, and 2012-13 the following funds are nonlapsing:
 - (a) any general funds appropriated to the department for the state plan for medical assistance, or for the Division of Health Care Financing that are not expended by the department in the fiscal year in which the general funds were appropriated; and
 - (b) funds described in Subsection (2)(a)(ii).

Amended by Chapter 278, 2013 General Session